

AO 88A (Rev. 06/09) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 3:12-CV-499

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

2013 JUL -3 PM 12:03

This subpoena for *(name of individual and title, if any)*

Frank Sutfin

DEPUTY CLERK

adg

was received by me on *(date)* 6-20-13

☒ I served the subpoena by delivering a copy to the named individual as follows:

on *(date)* 6-22-13 : or 2:50 PM

☐ I returned the subpoena unexecuted because:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

\$

My fees are \$ 50 for travel and \$ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 6-22-13

Jayne Reeves
Server's signature

JAYNE REEVES
Printed name and title

7217 West O Ave Schoolcraft MI 49087
Server's address

Additional information regarding attempted service, etc:

AO 88A (Rev. 06/09) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

Tristar Investors, Inc.)	
Plaintiff)	
v.)	Civil Action No. 3:12-CV-499
American Tower Corporation, et al.)	
Defendant)	(If the action is pending in another district, state where: Northern District of Texas)

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Mr. Frank Sutfin, 1400 Carver Road, Climax, Michigan 49034

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is *not* a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: Howard Johnson
5050 Beckley Road
Battle Creek, Michigan 49015

Date and Time:
07/09/2013 10:00 am

The deposition will be recorded by this method: stenographically and by videotape.

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Please produce:

- (1) all correspondence, whether maintained in hard copy or electronically, between you and Tristar Investors, Inc.; and
(2) all witness statements you may have signed for Tristar Investors, Inc.

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 06/20/2013

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) American Tower Corporation, et al., who issues or requests this subpoena, are:

Jennifer Brooks-Crozier, Alston & Bird LLP, 2828 N. Harwood St., Ste. 1800, Dallas, TX 75201-2139, (214) 922-3465,
jennifer.brooks-crozier@alston.com